



Ninety-Seventh Legislature - First Session - 2001
Committee Statement
LB 828

Hearing Date: March 5, 2001
Committee On: General Affairs

Introducers: (Robak)

Title: Provide for a presumption for minors and for compliance checks under the Nebraska Liquor Control Act

Roll Call Vote – Final Committee Action:

Advanced to General File
Advanced to General File with Amendments
X Indefinitely Postponed

Vote Results:

7	Yes	Senator Burling, Cunningham, Erdman, Janssen, McDonald, Redfield and Schrock
	No	
	Present, not voting	
1	Absent	Senator Quandahl

Proponents:

Senator Robak
Jim Moylan

Representing:

Introducer
Nebraska Licensed Beverage Association

Opponents:

Frosty Chapman

Representing:

Nebraska Liquor Control Commission

Neutral:

None

Representing:

Summary of purpose and/or changes:

LB 828 creates a rebuttable presumption that a minor has consumed or is possessing alcohol if they are “in close proximity” to somewhere selling or dispensing alcohol. It does not apply if they are in their place of residence or a licensed retailer. Minor may rebut this presumption by requesting a Breathalyzer test or if the officer requests a Breathalyzer test.

LB 828 would also provide guidelines for law enforcement personnel using minors for compliance checks on retailers of alcoholic beverages.

Explanation of amendments, if any:

Senator Ray Janssen, Chairperson